

ENTERED

May 20, 2024

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA :
v. : Criminal No. 4:24-cr-224
ENRIQUE ROBERTO "HENRY" :
CUELLAR, :
and :
IMELDA RIOS CUELLAR, :
Defendants. :
:
PROTECTIVE ORDER

The United States' Motion for a Protective Order concerning the disclosure of discovery material to defendant (Dkt. No. 34). In light of the confidential and law-enforcement-sensitive information that may be disclosed to the defendants pursuant to the Government's discovery obligations, the United States' motion is GRANTED.

IT IS ORDERED:

1. Any and all "discovery material"¹ the United States produces to the defendants may be reviewed by only (i) the defendants; (ii) the defendants' attorney or attorneys of record in this case; (iii) employees or agents of those attorneys; (iv) a photocopying or data processing service to whom it is necessary that the defendants provide the materials for the purposes of preparation, trial, direct appeal (if any); and collateral attack (if any) of this case; (v) witnesses or potential witnesses; and (vi) experts or investigators assisting in the preparation, trial, direct appeal (if any),

¹ Discovery material includes any material produced to the defense by the United States.

and collateral attack (if any) of this case. Discovery material or copies of any discovery materials may not be provided to any individual or entity except as provided in this order, as agreed to by the parties, or as further ordered by the Court. Discovery material may not be disclosed in any manner to any individual or entity except as provided in this Order, as has been agreed by the parties, or as further ordered by the Court.

2. The defendants may use discovery material and its contents only for the preparation, trial, direct appeal (if any), and collateral attack (if any) of this case and for no other purpose. No additional copies of any discovery material may be made except as necessary for those purposes. Before first disclosing discovery material in any manner to any of the individuals or entities listed above, the defendants or their attorneys of record must give to the individual or entity a copy of this Order and maintain a copy signed and dated by the individual or a representative of the entity until such time as all appeals in this matter are concluded.

3. The parties must comply with Federal Rule of Criminal Procedure 49.1 with respect to the public filing or use of any discovery material containing personally identifiable or sensitive information, including: (1) Social Security numbers, (2) names of minor children, (3) dates of birth, and (4) financial account numbers. *See Fed. R. Crim. P. 49.1.* The parties must also apply the requirements of Rule 49.1 when showing any discovery material containing personally identifiable or sensitive information to any third party.

4. Should the defendants, their attorneys of record, or any of the other individuals or entities listed above find any material inadvertently produced by the United States that is marked as classified, they will promptly double-seal the material and all copies of the material, inform the United States of such inadvertent disclosure, and make arrangements for the secure return of such material to the United States.

5. At the request of the government, the defendant must return all copies of material that was inadvertently produced in discovery.

6. Within 60 days following the conclusion of these proceedings, or any direct appeal (if any) from or collateral attack (if any) upon these proceedings, the discovery material disclosed by the United States and any duplicates made for the preparation, trial, direct appeal (if any), or collateral attack (if any) of this case shall be returned to the United States or destroyed by the defendants, unless the Court (or Government) gives specific written permission for an exception to this requirement.

7. This Order also applies to any and all individuals to whom the defendants, under this Order, show or disclose, in any manner, any material produced to them by the United States. By signing and dating a copy of this Order, any person or entity that receives copies of any material produced, or to whom the contents of such material is otherwise disclosed, submits himself, herself, or itself to the jurisdiction of this Court for all purposes, including sanctions or contempt for violation of this Order.

IT IS SO ORDERED.

SIGNED on May 20, 2024, at Houston, Texas.



Lee H. Rosenthal
United States District Judge